

# **ENVIRONMENTAL RULES REVIEW COMMITTEE MINUTES**

**Tuesday, March 19, 2019, 1:00 – 3:30 p.m.**

Michigan Department of Environmental Quality  
Constitution Hall, Lee Walker Conference Room, Atrium Level North  
525 West Allegan Street, Lansing, Michigan 48933

## **COMMITTEE MEMBERS:**

### **Voting Members:**

Janet Barlow  
Tyler Ernst  
Dave Maness

Fadi Mourad  
John Myers  
Robert Nederhood (Chair)

Eric Pessell  
Nicholas Ramos  
Grant Trigger

### **Absent:**

James Cliff (resigned)

Mark Fowler

Helen Taylor

### **Non-Voting Members:**

Kory Groetsch, DHHS  
Dennis Mack, DEQ

Jim Johnson, MDARD

Kirk Lapham, DNR

### **Clerk:**

Candra Wilcox

## **1. Welcome and Call to Order**

Rob Nederhood, Chairperson, called the meeting to order at 1:10 p.m.

## **2. Roll Call/Public Comment Reminder**

Rob Nederhood, Chairperson, provided roll call. Rob noted two members would be late and a quorum was not met at that time.

## **3. FOIA/Open Meetings Act**

Tom Quasarano, Department of Attorney General, provided an overview of the Freedom of Information Act and the Open Meetings Act. The Committee is reviewing the possibility of providing State of Michigan email addresses to members as records received via email are subject to FOIA.

## **4. Quorum**

A quorum was present at 1:45 p.m. when the remaining two members arrived.

## **5. Approval of Agenda**

**Motion:** Eric Pessell made a motion to approve the agendas as provided; Dave Maness seconded the motion. The motion was approved by all members present.

## **6. Approval of Minutes from meeting of December 7, 2018**

**Motion:** Tyler Ernst made a motion to approve the minutes as provided; Grant Trigger seconded the motion. The motion was approved by all members present.

## **7. Vice Chairperson Nomination/Vote**

**Motion:** Eric Pessell made a motion to nominate Mark Fowler as vice chairperson; Nicholas Ramos seconded the motion. The motion was approved by all members present.

## **8. Review ERRC Process Flow**

The ERRC process flow chart was provided to the Committee in their packet. There were no questions or comments on the process flow.

## **9. Overview of Oil and Gas Operations Proposed Rule Changes**

Adam Wygant, Oil, Gas, and Minerals Division Director, provided an overview of the proposed rule changes. The rules are designed to strengthen the protection of underground sources of drinking water during the drilling of injection wells.

## **10. Discussion of Draft Rules and Regulatory Impact Statement**

**Motion:** David Maness made a motion to move rules through the normal rulemaking process; Eric Pessell seconded the motion. A roll call vote was taken, and the following members voted affirmatively: Janet Barlow, Tayler Ernst, Dave Maness, Fadi Mourad, John Myers, Rob Nederhood, Eric Pessell, Nicholas Ramos, and Grant Trigger.

## **11. Proposed Meeting Schedule**

The next meeting is scheduled for April 15 at 1:00. Monthly meetings will be scheduled and will be cancelled if there is no business for the Committee to discuss.

## **12. Public Comment**

There were no public comments.

## **13. Adjournment**

**Motion:** Jan Barlow made a motion to adjourn the meeting at 3:05 p.m.; Tyler Ernst seconded the motion. The motion was approved by all members present.

**\*APPROVED at the ERRC Board Meeting on April 15, 2019\***